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April 9, 2012

**VIA ELECTRONIC AND U.S. MAIL**

Ms. Caroline Kwan  
Remedial Project Manager  
Special Projects Branch  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 20<sup>th</sup> Floor  
New York, New York 10007-1866

Re: Progress Report No. 9 – March 2012  
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion



***1. Actions Taken to Comply with Settlement Agreement during Previous Month***

- Technical Documents
  - Preliminary ARAR and TBC Tables for Consideration at Newtown Creek
    - A response letter documenting the discussions with USEPA during the February 14 meeting in New York City was submitted on March 1.
    - USEPA approved the March 1 response letter on March 7.
    - The revised preliminary tables were submitted to USEPA on March 29.
  - Modeling Approach Memorandum (1)
    - A revised memorandum reflecting discussions held with USEPA during the February 14 meeting in New York City was submitted to USEPA on March 1.
    - USEPA approved the revised memo on March 7.
    - A final memorandum was submitted to USEPA on March 19.
  - Reference Area Site Selection Memorandum
    - USEPA provided additional comments on the reference area response matrix on March 13. These comments will be discussed further with USEPA in a meeting on April 18.
  - Screening Level Ecological Risk Assessment (SLERA) Technical Memorandum No. 1
    - A final memorandum was submitted to USEPA on March 1.
  - First Sampling Event Field Audit Memorandum
    - A field audit memorandum, as prescribed in the QAPP, was submitted to USEPA on March 1.
  - QAPP/FSAP Deviation Memorandum No. 1
    - A memorandum describing analytical and field-related program changes resulting from the first surface water sampling event was submitted to USEPA on March 13.
    - USEPA provided comments on memorandum on March 20.
    - Anchor QEA provided responses to USEPA's comments on March 23.

- Anchor QEA and USEPA discussed and resolved outstanding comments on the deviation memorandum during a call on March 27 and via e-mail exchange on March 29.
- The final memorandum was submitted to USEPA on March 29.
- Data Applicability Report, Phase 1 RI Interim Data Report, and Phase 1 RI Work Plan Addendum
  - A request that the submittal dates for these three deliverables be staggered, per the schedule below rather than all due on the same day, was submitted to USEPA on March 20:
    - Data Applicability Report: May 29
    - Phase 1 RI Interim Data Report: June 8
    - Phase 1 RI Work Plan Addendum: June 15
  - USEPA approved the revised document deliverables schedule, as listed above, on March 21.
- FSAP Section 6 – Air Monitoring Revisions
  - Redline edits to the original FSAP Section 6 text were submitted to USEPA on March 19. The edits were made based on a review and evaluation of historical meteorological data and research on means and methods for implementing the air monitoring program.
- Phase 1 Field Activities
  - An aerial survey of the study area was conducted on March 18 and 19.
  - Current meter deployment was performed on March 19 to 21.
  - The second round of analytical surface water sampling was conducted between March 19 and 25.
  - Sedflume core collection and processing was conducted from March 21 to 25.
- Preparation of the Cultural Resources Survey Stage 1A Report was initiated
- Historical data collection, inventory, and review efforts continued.

**2. *Results of Sampling and Tests and Other Data Received by Respondents during Previous Month***

- Quality control review of the hydrographic, side scan sonar, and magnetometer survey results was completed.

**3. *Encountered and Anticipated Problems and/or Delays, and Solutions Developed and Implemented to Address Them***

- A safety concern regarding the ladder system used to access Newtown Creek from the field facility was identified during the first analytical water surface sampling event in February. In response to this concern, Anchor QEA evaluated various options to the ladder system and identified a barge/gangway system that would provide the field crew with a stable platform to gain access to the boats and other field equipment on the Newtown Creek during future sampling activities. Anchor QEA presented the recommended solution to USEPA, and USEPA accepted the design on February 29. Installation of the barge/gangway system was completed on March 16, which postponed the second analytical surface water sampling event by two weeks (from March 2 to March 19).

**4. *Work Planned for the Next Two Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion***

- The following Phase 1 field activities are scheduled for the next two months:
  - Analytical surface water column sampling: weeks of April 2 and May 7
  - Fish community survey: week of April 9
  - Ecological surface water and sediment sampling: week of April 16 (3-week duration)
  - Analytical surface sediment sampling: week of April 16 (4-week duration)
  - Analytical sediment core collection: week of May 14 (7-week duration)
- Continue to retrieve and review data to support identification of preliminary references areas.
- Continue historical data collection, inventory, and review activities.
- Submit the draft Cultural Resources Survey Stage 1A Report on or before April 16.
- Submit the draft Data Applicability Report on or before May 29.

- Continue preparing the Phase 1 RI Interim Data Report and Phase 1 RI Work Plan Addendum.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: [jquadrini@anchorqea.com](mailto:jquadrini@anchorqea.com)).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Quadrini", with a stylized flourish at the end.

Jim Quadrini, P.E., BCEE  
Anchor QEA, LLC

cc: Nica Klaber, USEPA Region 2 Remedial Project Manager  
Michael Mintzer, USEPA Region 2 Assistant Regional Counsel  
Ian Beilby, NYSDEC, Division of Environmental Remediation  
Dennis M. Reznick, Common Counsel for Newtown Creek Group Respondents  
Susan Amron, Counsel for Respondent, City of New York